UNITED NATIONS **S**

Security Council

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GENERAL

S/1999/268
11 March 1999

ORIGINAL: ENGLISH

LETTER DATED 9 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF ANGOLA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit the three agreements signed by the Government of the Republic of Angola and the União Nacional para a Independência Total de Angola (UNITA) Restoration Committee (UNITA Renovada) on 18 February 1999 (see annexes I-III) and request that these agreements be circulated as a document of the Security Council.

(Signed) Afonso VAN DUNEM "MBINDA"
Ambassador
Permanent Representative

Annex I

Agreement signed by the Government of the Republic of Angola and UNITA Renovada on 18 February 1999

The Government of the Republic of Angola and the Union for the Total Independence of Angola (UNITA), in good faith and in compliance with the provisions of the Lusaka Protocol, consider that:

1. The Government of the Republic of Angola and UNITA are ready to comply in letter and spirit with the Lusaka Protocol.

2. After the creation of the GURN (Government of Unity and National Reconciliation), the President nominated through Presidential Decrees the Governors and Vice-Governors that had been postulated by UNITA.

3. The designed individuals were prevented from taking office by the successive obstructions created by the Chairman of UNITA, Jonas Savimbi and his militaristic wing.

4. Additionally, at the beginning of last December, Jonas Savimbi launched into conventional warfare, aiming at taking power by force, having as his immediate objective taking the cities of Huambo, Kuito and Malange. This was not achieved because the immediate intervention of the Angolan Armed Forces thwarted those aggressive attempts.

5. At the moment, the whole of the national territory has plunged into an unprecedented war, thus the administration of the state cannot be carried out under normal circumstances.

6. Taking into account the new political developments derived from the IX UNITA Congress, which led to the election of a new leadership, the Government and UNITA agree to the following:

   a) Accept the new names proposed by UNITA, to occupy the positions of governor of the provinces of Uige, Lunda Sul and Kuando Kubango and initiate the legal provisions necessary to void prior nominations;

   b) In the above terms, allow the designate officials to take office in those regions as soon as the circumstances allow it, with the alleviation of the military tension prevailing over the whole of the national territory;

   c) Those individuals designated by UNITA and accepted by the Government under the terms of paragraph a), while

they do not take office, will still benefit from the privileges due to the position they will occupy, specifically in what has to do with salary and lodgings.

Luanda, 18 February 1999

For the Government of Angola
(Signed)

For UNITA
(Signed)

Annex II

Agreement signed by the Government of the Republic of Angola and UNITA Renovada on 18 February 1999

The Lusaka Protocol, signed by the Government and UNITA, aims at fostering true reconciliation among the Angolan people, to be translated into unity, democracy and reconstruction and development of the country.

The free circulation of people and goods and the re-establishment of the administration of the state over the whole of the national territory, is one of the most important goals in the achievement of a definite peace in Angola.

In that sense, the creation of the GURN and the incorporation of the members of UNITA into their parliamentary seats, were important steps towards national reconciliation. These steps were taken by the signatories of the Lusaka Protocol, with due respect for the Constitution and the laws, the Peace Agreements and its respective Protocol as well as all other international principles relative tot he consolidation of the Peace Process.

The Government, with the cooperation of UNITA, assumed the responsibility of re-establishing the administration of the state over the whole of the national territory. This objective has not yet been attained due to the constant non-compliance by the then Chairman of UNITA, Jonas Savimbi, who once again has chosen the use of force, in total violation of the agreed principles. As a result of this behavior, he was unseated from the leadership of the party, during UNITA's IX Congress held from 11 to 15 January 1999 in Luanda.

The new UNITA leadership is thereby considered the only valid interlocutor for the continuation of the implementation of the Lusaka Protocol, which it accepts and pledges to support.

Thus, given the need for both the Government and UNITA to comply with its terms in what has to do with the normalization of the administration of the state over the whole of the national territory, with due respect to the constitution and the principles enshrined in the Lusaka Protocol.

AGREE:

1. **To consider the areas that are not under Government control as not being under UNITA, but in the hands of organized armed groups under the leadership of Jonas Savimbi and outside the framework of the Lusaka Protocol.**

2. Consider concluded the normalization of the administration of the state over the whole of the national territory under the terms of the Lusaka Protocol.

3. The obligation derived from the above, should be undertaken with full respect to the constitution of the Republic of Angola and for Human Rignts.

4. The organs of the state, In the exercise of their sovereign powers must assist the population held captive by the groups organized under the leadership of Jonas Savimbi.

Luanda, 18 February 1999

For the Government of Angola
(Signed)

For UNITA
(Signed)

Annex III

Agreement signed by the Government of the Republic of Angola and UNITA Renovada on 18 February 1999

The presidential elections were held on 29 and 30 September 1992.

Since the candidate that obtained the majority of the votes did not attain the percentage stipulated by the law (50% +1), the two candidates with the highest number of votes would face each other on a second round of elections.

This second round should have taken place within 30 days of the publication of the results of the first round.

The second most voted candidate however, obstructed the process and effectively prevented the holding of the second round within the legally established time frame.

Although the electoral law established the principles for the holding of the second round in the presidential election, the Lusaka Protocol, which is the juridical and political element that regulates the Angolan Peace Process, establishes in it, Annex 7, that the elections should take place as soon as military, political, material and security conditions allow it, that is to say:

a) **The attainment of the extension of the administration of the state to all of the national territory and guarantee that it can function, as well as the resettlement of the population in the whole country**

b) **Guarantee of the security and free circulation of people and goods over the whole national territory**

c) **The guarantee of the fundamental freedoms of the citizens over all of the national territory**

d) **The approval of the future constitution of the Republic of Angola**

e) **The amendment of the electoral law**

f) **The census of the Angolan population over the whole national territory**

g) **The new electoral registry for the whole of the national territory**

Given the objective and subjective impossibility of holding the second round of the 1992 Presidential elections, and given the time that has elapsed since then, and the significant changes among the voters that participated in the 1992 elections as well as the new outbreak of war and military instability,

Given that the United Nations has declared that it feels that it cannot continue to supervise the Peace Process, due to the lack of the necessary political and military conditions in view of the re-initiation of warfare, a fact that determines the need for the sovereign organizations of the Republic of Angola to take up the development of the tasks inherent to the conclusion of the Electoral Process, the Government and the National Union for the Total Independence of Angola agree to the following:

a) Point II.5, Annex 7, of the work agenda of the Lusaka Protocol relative to the conclusion of the electoral process is considered concluded;

b) The National Assembly, through its normal legislative process, and under the initiative of the interested parliamentary groups, shall approve the pertinent amendments that regulate this issue, in the spirit of this agreement.

Luanda, 18 February 1999

For the Government of Angola
(Signed)

For UNITA
(Signed)

UNITED NATIONS **S**

Security Council

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S/1999/268/Corr.1
16 March 1999

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LETTER DATED 9 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF ANGOLA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Corrigendum*

Page 1

Lines 1 to 3 should read

I have the honour to transmit the three agreements signed by the Government of the Republic of Angola and UNITA Renovada on 18 February 1999 ...

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* Issued at the request of the Permanent Mission.

99-07287 (E) 160399

UNITED
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Security Council

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GENERAL

S/1999/269
12 March 1999

ORIGINAL: ENGLISH

LETTER DATED 12 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF ETHIOPIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you a statement by the Ministry of Foreign Affairs of the Federal Democratic Republic of Ethiopia, issued on 12 March 1999, entitled "One Deceptive Step Forward, Two Steps Backward: Asmara Plays with Words" (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Duri MOHAMMED
Ambassador
Permanent Representative

99-06850 (E) 120399

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Annex

Statement issued on 12 March 1999 by the Ministry of Foreign Affairs of the Federal Democratic Republic of Ethiopia entitled "One Deceptive Step Forward, Two Steps Backward: Asmara Plays with Words"

During the various attempts at peacemaking since the Eritrean and occupation of Ethiopian territory, Eritrea has been consistent on only one point - that it might pull back its troops only within the context of mutual redeployment by both Ethiopia and Eritrea.

This was also the position that Eritrea wanted the Organization of African Unity (OAU) High-level Delegation to endorse, but it was rejected. Ethiopia's position has been consistent as well, and this was what was eventually endorsed by the High-level Delegation and formed the basis for the Framework Agreement - that Eritrea should withdraw from all occupied Ethiopian land in order to prepare the ground for the peaceful resolution of the crisis.

Some might have been inclined to give the benefit of the doubt to the Eritrean declaration "accepting" the OAU Framework Agreement after it had suffered defeat at Badme. That the Eritrean move was bogus, that it was simply a tactical move to buy time, and that Eritrea's sincerity could not be taken for granted was immediately obvious to Ethiopia.

This has now become crystal-clear, and that Eritrea's expressed acceptance of the OAU Framework Agreement is only a fake commitment has been made abundantly clear by the statement issued by its Foreign Ministry on 10 March 1999 (S/1999/259). By making its withdrawal from the rest of the occupied Ethiopian territory conditional on demilitarization along the common border and on mutual redeployment, Eritrea is simply confirming that its declared acceptance of the Framework Agreement is bogus and, as Ethiopia has already insisted, is tactical and designed to buy time.

That Eritrea in its latest statement is simply reiterating the same old position, considered a non-starter by OAU, requires little explanation. But it must be necessary to repeat what the Eritrean President said to the summit of the OAU Central Organ in Ouagadougou in December 1998:

> "... [A] though we believe, given a cessation of hostilities, that demarcation can be done expeditiously, we have expressed our readiness to redeploy our forces within the context of mutual demilitarization."

What the Framework Agreement demands that Eritrea do, so that peace may have a chance through negotiation, is to withdraw from all occupied Ethiopian territory. It was because Eritrea in effect rejected this that it became necessary to rout its army of occupation to liberate Badme. Eritrea is now advancing the same position - rejected by the High-level Delegation as well as earlier by United States-Rwandese facilitators - with respect to other parts of Ethiopian land still occupied by Eritrea.

It should thus be clear that the apparent step taken by Eritrea when it informed the Security Council that it had accepted the Framework Agreement is only a deceptive move. Even those who were prepared to give Eritrea the benefit of the doubt should take this as Eritrea taking two steps backwards. In reality, Eritrea has never moved an inch, and by reiterating the position that it has always advanced, it has simply made it plain how difficult it is to accept the principles upon which the OAU Framework Agreement rests. It is this same difficulty that made the battle of Badme and the routing of its army of occupation necessary.

The lack of sincerity of the Eritrean authorities appears to have no limit, even with respect to issues that are as clear as day. The restoration of Ethiopian sovereignty over the Badme region required Ethiopia to pay a price in human lives which would have been unnecessary if Eritrea had accepted the OAU peace plan. Now Eritrea wishes, in the statement by its Foreign Ministry referred to above, to imply and to shamelessly tell the world that it had redeployed from Badme in compliance with the OAU Framework Agreement.

It is therefore necessary to underline and reiterate the key elements in the statement that the Ethiopian Foreign Ministry issued on 10 March 1999 (S/1999/260) which Ethiopia considers as irreducible minimum conditions for the resolution of the crisis imposed on Ethiopia be Eritrea. They are as follows:

(a) The yardstick for Eritrea's genuine acceptance of the Framework Agreement is its immediate and unconditional withdrawal from the remaining occupied Ethiopian territory and the return of the status quo ante in full, in line with the letter and spirit of the OAU peace plan;

(b) In the light of the huge loss of lives, the humanitarian crisis and the destruction of property caused by the Eritrean aggression, Eritrea must assume full responsibility for all the damages.

We once again call upon the international community - as we have not tired of doing during this entire period of madness in Asmara - to convey the message even belatedly that aggression cannot be rewarded and violating principles of international law has its consequences.

UNITED NATIONS

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General Assembly
Security Council

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S/1999/270
12 March 1999

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GENERAL ASSEMBLY
Fifty-third session
Agenda item 41
THE SITUATION IN BOSNIA AND HERZEGOVINA

SECURITY COUNCIL
Fifty-fourth year

Letter dated 11 March 1999 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to forward, enclosed herewith, the letter of Zivadin Jovanovic, Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia, relative to the decision of the President of the Arbitral Tribunal, Roberts Owen, declaring Brčko a district under the sovereignty of Bosnia and Herzegovina and the decision of Carlos Westendorp, High Representative for Bosnia and Herzegovina, to dismiss the President of Republika Srpska, Nikola Poplašen (see annex).

I would be very grateful if you would have the present letter and its annex published as a document of the fifty-third session of the General Assembly, under agenda item 41, and of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

99-06856 (E) 120399

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Annex

Letter dated 11 March 1999 from the Minister for Foreign Affairs of Yugoslavia addressed to the Secretary-General

I should like to convey to you, on behalf of the Federal Republic of Yugoslavia, our profound disagreement with the decision of the President of the Arbitral Tribunal, Roberts Owen, to declare Brčko a district under the sovereignty of Bosnia and Herzegovina, as well as with your statement of 5 March 1999 in which you supported this decision, even though it is contrary to the Dayton/Paris Agreement.

The decision of Mr. Owen represents a gross violation of the Dayton/Paris Accords. We recall that article V, annex 2, to the Dayton/Paris Agreement envisages that "the parties are agreed to accept the obligatory arbitration on the disputed part of the inter-entity boundary line in the area of Brčko". It is clear, therefore, that the subject of arbitration is not and cannot be the status of the district of Brčko. The decision by Mr. Owen represents the establishment of a third entity in Bosnia and Herzegovina, which is contrary to the Constitution of Bosnia and Herzegovina, which provides for the existence of only two entities - Republika Srpska and the Federation of Bosnia and Herzegovina. The decision of Mr. Owen violates the principle of contiguity of the territory of Republika Srpska, undermining its vital interest built into the foundations of the Dayton/Paris Agreement. Furthermore, that decision also changes the 51 to 49 ratio of the territory, in flagrant violation of the Dayton/Paris Agreement. Finally, this decision was made by Mr. Owen alone, without the consent of other members of the Arbitral Commission, in contravention of the rules of procedure and contrary to the mandate entrusted to him.

The decision of Mr. Westendorp to dismiss Republika Srpska President Poplašen also represents the most flagrant violation of the Dayton/Paris Agreement thus far. This decision is also in violation of the Constitutions of Republika Srpska and of Bosnia and Herzegovina, and it was an attempt to annul the will of the people expressed at the free and fair elections. The President of Republika Srpska, in accordance with the Constitution, may be removed from office only by the people who have elected him. That is why the Government of the Federal Republic of Yugoslavia considers that the above-mentioned decision by Mr. Westendorp cannot have any legal effect and must be considered null and void.

These decisions seriously devalue and threaten the stabilization of the peace process as well as the results and progress achieved in the establishment of Bosnia and Herzegovina as a common State of two equal entities and three constituent peoples, to which the Federal Republic of Yugoslavia has continuously been making a significant contribution. This obliges all participants of this process to work, with full responsibility, for the consistent implementation of the Dayton/Paris Agreement and strongly to oppose any attempts to usurp the powers of the constitutional bodies of Bosnia and Herzegovina and of the two entities, i.e., attempts at revising the Agreement.

In view of the above, the federal Government of the Federal Republic of Yugoslavia, as the signatory and the guarantor of the Dayton/Paris Agreement, calls upon members of the Steering Board to convene an emergency session of the Peace Implementation Council to consider the above-mentioned decisions and to take concrete measures to reverse them urgently and to re-establish the situation, the relationship and the decision-making process, in accordance with strict compliance with the Dayton/Paris Agreement, the Constitution of Bosnia and Herzegovina and the Constitution of Republika Srpska.

We expect that you will endorse this proposal of the Federal Republic of Yugoslavia.

I would be grateful if you would inform all the members of the Security Council of the contents of the present letter.

(Signed) Zivadin JOVANOVIC

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/271
12 March 1999

ORIGINAL: ENGLISH

LETTER DATED 12 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to forward herewith a letter dated 12 March 1999 addressed to you by Kiro Gligorov, President of the Republic of Macedonia, concerning the United Nations Preventive Deployment Force (see annex). I should be grateful if you would bring the contents of the letter to the attention of the members of the Security Council.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) Naste CALOVSKI
Ambassador
Permanent Representative

Annex

Letter dated 12 March 1999 from the President of the former Yugoslav Republic of Macedonia addressed to the Secretary-General

We received the news of the results of the recent vote in the Security Council on the extension of the United Nations Preventive Deployment Force (UNPREDEP) mission in the Republic of Macedonia with feelings of great regret and disquietude. It was truly painful for us to learn that United Nations peacekeepers will have to end their noble mission. More so in the light of the present circumstances, when their presence in the Republic of Macedonia is perhaps needed most, at the moment when the crisis in Kosovo is seriously threatening to escalate and spill outside the framework of our neighbouring Yugoslav province and at the moment when the international community is putting in enormous efforts to find at least a temporary solution for a peaceful settlement of this crisis.

Nevertheless, the results of the vote of the Security Council remain a fact. The Republic of Macedonia is facing a major challenge to its security, and at the same time the challenge of contributing to preserving peace in the region.

I avail myself of this occasion to underscore the continuous readiness of the Republic of Macedonia to join the coordinated efforts of the United Nations for a peaceful settlement of the Kosovo crisis. Consequently, we remain open to the possibility of the presence of United Nations peacekeeping forces on our territory, with the aim of coming out of this crisis and achieving a stable peace and security in the region.

The ending of the UNPREDEP mission is at the same time a major motive for me to express the sincere recognition of all the citizens of the Republic of Macedonia, together with my personal acknowledgement, of the great contribution of the United Nations in preserving the peace and security in the Republic of Macedonia and in the surrounding areas in the course of its six-year presence. UNPREDEP will remain written in history as the first and authentic preventive mission of the world Organization, as a joint effort of the United Nations, countries participants in the Mission and the Republic of Macedonia for preventive action for protecting peace and security in the world. And most importantly, UNPREDEP confirmed itself in the long term as a barrier to wider destabilization and thus as a very successful mission.

As is known, Security Council resolution 795 (1992) of 11 December 1992 established the peacekeeping mission in the Republic of Macedonia with a preventive mandate as part of the United Nations Protection Force in the former Socialist Federal Republic of Yugoslavia. Security Council resolution 983 (1995) of 31 March 1995 set up UNPREDEP as an independent mission with a preventive mandate. From the very outset to the last Security Council resolution, 1186 (1998) of 21 July 1998, which extended the mandate of UNPREDEP until 28 February 1999, about 10,000 peacekeepers and military and civilian personnel took part in it and honourably served the goals of peace.

Esteemed Mr. Annan, on this occasion I cannot but mention your personal contribution to the successful operation of UNPREDEP, as well as that of your predecessor Boutros Boutros-Ghali. Worthy of our recognition are the Special Representatives of the Secretary-General, Yasushi Akashi, Henryk Sokalski and Fernando Martin Valenzuela Marzo, as well as Hugo Anson, Ataul Carim and many other devotees to peace. We also owe our gratitude to many successful commanding officers, starting with Brigadier General F. Saemark Thomsen to the last commanding officer, the Norwegian Brigadier General Ove Stromberg. I have nothing but the highest appreciation for the thousands of American, Norwegian, Swedish, Finnish, Danish and Indonesian troops and their Governments, the many civilian enthusiasts who served the peace, and who together with us stood firm and determined in protecting the causes of the world Organization. I cannot but mention the difficult challenges they faced, first as a result of the major war effort in Bosnia and Herzegovina, the dangers of its spilling over into the wider region, later as a result of the destabilized internal situation in Albania, and most recently the growing crisis in Kosovo.

Furthermore, I would like to make mention of the excellent cooperation between UNPREDEP and its representatives on the one hand and the Macedonian authorities and citizens as a whole. The peacekeepers were received as our own, as a part of our daily lives, because they truly deserved it. In addition to carrying out their primary tasks, they expressed a remarkable readiness to cooperate with the local population, to offer and give assistance in some difficult moments, to help out in building roads and in many other humane actions.

Finally, esteemed Secretary-General Annan, allow me to ask you to convey our wholehearted appreciation to all participants in UNPREDEP, from its beginning to its end. At the same time, I avail myself of this opportunity to ask you to convey to them our high recognition and feelings of friendship, together with our genuine wish for their continued good health and future success. I would like to believe that the experience acquired with their presence in the Republic of Macedonia will prove beneficial for other parts of the world, in the interest of the peace, security and prosperity of the countries members of the United Nations.

In closing, allow me to reiterate our great appreciation for your tireless engagement in the service of peace and stable development throughout the world and to wish you good health and renewed success in the execution of your responsible duties. Furthermore, esteemed Mr. Annan, allow me to express my pleasure at the announcement of your pending visit to the Republic of Macedonia. I genuinely rejoice at the pleasant opportunity I will soon have to welcome you here and the opportunity we will have to exchange views on the situation in the region of South-East Europe.

(Signed) Kiro GLIGOROV

UNITED NATIONS

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S/1999/272
12 March 1999
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ORIGINAL: RUSSIAN

GENERAL ASSEMBLY
Fifty-fourth session
Items 30 and 76 of the preliminary list*
COOPERATION BETWEEN THE UNITED NATIONS AND THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE
GENERAL AND COMPLETE DISARMAMENT

SECURITY COUNCIL
Fifty-fourth year

Letter dated 12 March 1999 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of the statement of 12 March 1999 by the Russian Federation Ministry of Foreign Affairs concerning the problem of the expansion of NATO (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under the agenda items entitled "General and complete disarmament" and "Cooperation between the United Nations and the Organization for Security and Cooperation in Europe", and of the Security Council.

(Signed) Sergei LAVROV

* A/54/50.

99-06862 (E) 120399 120399

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ANNEX

STATEMENT OF 12 MARCH 1999 BY THE RUSSIAN FEDERATION MINISTRY OF FOREIGN AFFAIRS

Today, Poland, Hungary and the Czech Republic officially joined the North Atlantic Alliance. In this connection, we should like to stress that the Russian Federation's position with regard to the expansion of NATO has not changed and remains negative. Expanding the North Atlantic Alliance will not further the strengthening of trust and stability in international relations and, on the contrary, may give rise to new dividing lines. We would not want such a development, and it is not in the interests of the peoples of our continent.

For its part, the Russian Federation has put forward and proposes, as a constructive alternative to expansion, stepping up work on creating a European security architecture that would ensure the interests of all States without exception, both those that are members of one or another military-political alliance as well as those that are not. We believe that the establishment of a reliable system for European security and stability is possible only on a common European basis with unswerving observance of international law and by making use of the potential of the Organization for Security and Cooperation in Europe (OSCE) as the most representative and universal common European organization capable of dealing with all the challenges of the twenty-first century - political, economic, military and humanitarian ones. We call upon all the countries concerned to draw up as speedily as possible and adopt at this year's OSCE summit in November a charter for European security - a weighty document that would develop and concretize the vision of a single space for democracy and security, contain practical agreements on the principles governing the European security architecture, mutual relations and cooperation between European and Euro-Atlantic structures.

The question of adapting the Treaty on Conventional Armed Forces in Europe (CFE Treaty) has become particularly important now after the expansion of NATO. The Russian side believes that the obligation undertaken by the States parties to the Treaty to complete by the end of March work on the key aspects of adapting it to new conditions will be carried out and this very important instrument for stability will maintain its effectiveness.

The Russian side will also continue its active work to make use of the potential of the Founding Act and the Russia-NATO Permanent Joint Council in order to create relations based on true partnership between the Russian Federation and the North Atlantic Alliance and prevent any detriment to the work of forming a single Euro-Atlantic space for stability, democracy and cooperation without dividing lines. We are counting on understanding and reciprocal action on the part of our partners. Only this process, and not a relapse into the logic of the "cold war", can ensure peace and prosperity.

UNITED NATIONS **S**

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S/1999/273
12 March 1999

ORIGINAL: ENGLISH

LETTER DATED 12 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF ERITREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward to you the attached statement issued by the Ministry of Foreign Affairs of the State of Eritrea today, 12 March 1999 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Haile MENKERIOS
Ambassador
Permanent Representative

99-06903 (E) 150399

Annex

Statement by the Ministry for Foreign Affairs of Eritrea, issued at Asmara on 12 March 1999

Ethiopia's aggression on Eritrea in Violation of International Law and UNSC Resolutions

Ethiopia's Prime Minister, Meles Zenawi, has informed the Ambassadors accredited to his country on Monday, 8 March, that his government will launch another offensive against Eritrea "before the weekend". Ethiopia's declared decision to continue its war of aggression against Eritrea and to resort to large-scale military action:

1. is in contravention of the OAU Framework for a peaceful solution of the dispute which underlines that the war must come to an end as soon as it is accepted by both parties. Ethiopia has therefore no cause to resort to force as the Framework Agreement has been accepted by both parties;

2. is in violation and blatant contempt of UN Security Council Resolution 1117, 1226 and 1227 and, in particular, the Statement of 4 March that called for "an immediate end to hostilities" while expressing "regret at Ethiopia's continuation of its military action";

3. poses a grave threat to regional peace and stability as this was indeed underlined in the Security Council Statement of 4 March.

Moreover, Ethiopia has wantonly and callously violated Eritrean sovereignty and international law and covenants to which it is a signatory by:

- invading Eritrean territory in July 1997 and forcibly bringing the Eritrean Bada region under its administration;

- issuing unilaterally an illegal map in October 1997 redrawing Eritrea's international boundaries which is an act of aggression;

- attacking Eritrean units in the Badme area on 6 May 1998 and starting all out attacks against Eritrea throughout the common border including air attacks on the capital, Asmara;

- breaking the moratorium on air strikes that the United Nations has called on both sides to respect;

- targeting civilians and economic installations in its air raids;

- employing over 200 mercenaries in direct fighting against Eritrea; and,

- cruelly deporting en masse and without due process of law over 53,000 Eritreans and Ethiopians of Eritrean origin while illegally detaining over 1,500 in Blatten and others in other concentration camps.

Ethiopia thus bears full responsibility for the war and its consequences. In light of Ethiopia's violations of international law and of UN Security Council Resolutions and its open contempt for them, and the danger that its avowed escalation poses to regional peace and stability, the Government of Eritrea calls on the UNSC to act without delay before it is too late. In this regard, the Government of Eritrea calls on the UNSC to:

- condemn Ethiopia for its war of aggression against Eritrea in flagrant violation of the UN Charter and UNSC Resolutions; and,

- take, on the basis of the UN Charter, urgent and forceful measures against Ethiopia.

UNITED
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Security Council

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S/1999/274
12 March 1999

ORIGINAL: ENGLISH

LETTER DATED 12 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF ERITREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit the attached document entitled "Issues raised by the Eritrean side requesting clarification", containing the written clarifications by the Organization of African Unity (OAU) High-level Delegation at the heads of State level to the questions submitted by the State of Eritrea on the OAU proposals for a Framework Agreement for a peaceful settlement of the dispute between Eritrea and Ethiopia (see annex).

Eritrea submitted its questions for clarification to the OAU High-level Delegation on 12 December 1998, prior to the meeting of the OAU Central Organ, and received these written clarifications on 26 January 1999. Eritrea was studying these clarifications to give its considered response to the OAU High-level Delegation when the process was cut short by Ethiopia's launch of its all-out offensive on 6 February 1999.

I wish to draw the attention of the Security Council to the clarity of the answers from the OAU regarding:

(a) The question of what constitutes the "environs" of Badme under paragraph 1 (b);

(b) OAU's answer to the Ethiopian interpretation of what Badme and "environs" means under paragraph 1 (c);

(c) The issue of redeployment throughout the remaining border under paragraph 2 (c).

I understand that the Ethiopian Government had, through its Permanent Representative to the United Nations, requested that this same document (Issues raised by the Eritrean side requesting clarification), be circulated as a document of the Security Council about three weeks ago during the Presidency of Canada. As the Ethiopian Government raised no questions about the clarifications then, such a measure would indicate that the Ethiopian Government was in agreement with the clarifications provided in the document. In fact, that is the only way Ethiopia could be consistent with its alleged full

acceptance of the OAU Framework Agreement. Ethiopia's attempts to misinterpret and revise the Framework now could only indicate its design to continue to use force against Eritrean sovereignty.

I should be grateful if you would kindly circulate the present letter and its annex as a document of the Security Council.

(Signed) Haile MENKERIOS
Ambassador
Permanent Representative

Annex

Note verbale dated 26 January 1999 from the General Secretariat of the Organization of African Unity transmitting the document entitled "Issues raised by the Eritrean side requesting clarification" to the Embassy of Eritrea in Addis Ababa

The General Secretariat of the Organization of African Unity (OAU) presents its compliments to the Embassy of the State of Eritrea in Addis Ababa and has the honour to refer to the questions for clarification handed over by Isaias Afwerki, President of the State of Eritrea, to Salim Ahmed Salim, Secretary-General of OAU, during the latter's visit to Asmara on 12 December 1998, which were subsequently forwarded to the members of the OAU High-level Delegation on the dispute between Ethiopia and Eritrea.

The General Secretariat wishes to attach herewith, a document, containing the answers of the OAU High-level Delegation at heads of State level to the questions asked by the Eritrean side and requests the esteemed Embassy to transmit the same to Isaias Afwerki, President of the State of Eritrea.

Enclosure

Issues raised by the Eritrean side requiring clarification

1. Regarding Badme and environs

(a) On the coordinates of Badme and its location relative to the recognized boundary?

The OAU High-level Delegation addressed the issue of the administration of Badme. The issue of the coordinates of Badme was not raised. This is a technical matter which could be addressed during the implementation of the Framework Agreement.

(b) What is meant by environs? Which areas does it include?

Environs refers to the area surrounding Badme town.

(c) According to Ethiopia, "Badme and environs" means "all Ethiopian border territories occupied by Eritrea since 6 May 1998, what is the OAU's view?

See paragraph 36 in the report on the efforts of the OAU High-level Delegation, presented to the Fourth Ordinary Session of the Central Organ, meeting at heads of State level, which states: "the High-level Delegation took note of the position of Prime Minister Meles Zenawi. There was, however, no further discussion on the issue".

(d) Has Ethiopia submitted to OAU the totality of its claims as had been repeatedly requested by Eritrea?

Ethiopia has indicated that it will submit its claims when the issues of delimitation, demarcation and, if need be, arbitration are addressed.

2. Regarding redeployment

(a) What is the justification for unilateral Eritrean redeployment from Badme?

The OAU High-level Delegation came to the conclusion that Badme town and its environs were administered by Ethiopia prior to the events of 6 to 12 May 1998. Therefore, the troops to be redeployed are those that occupied the area from 6 to 12 May 1998.

(b) Why redeployment to positions before 6 May? Where precisely are the positions?

The incidents that took between 6 and 12 May are the fundamental issues that brought the dispute to the attention of OAU and the international community. The precise location of these positions are to be identified by technical experts during the implementation stages of the Framework Agreement with the cooperation of the two parties.

(c) What does "the redeployment to be extended within the framework of demilitarization" mean? Whose redeployment is it?

The redeployment is of Eritrean troops from Badme town and its environs. This should be immediately followed by the demilitarization of the entire border, through the redeployment of the forces of both parties along the entire border, to positions to be determined subsequently, as part of the implementation process of the Framework Agreement.

3. Regarding civilian administration

(a) What is the justification for "reinstated civilian administration" if the areas under consideration are Eritrean with an Eritrean population?

This is based on the conclusions of the OAU High-level Delegation on the administration of the areas concerned prior to 6 May 1998 and not on the population. This position is without prejudice to the final status of the areas concerned which will be determined after the processes of delimitation, demarcation and, if need be, arbitration, have been concluded.

(b) What is the rationale for setting up an alien administration for a short time when options exist for quick demarcation?

The administration referred to is not a new one; it is the one that was there prior to 6 May 1998. The High-level Delegation is of the view that this measure will contribute towards defusing tension and paving the way for the implementation of the other aspects of the Framework Agreement.

4. Regarding investigation

(a) What is the purpose of "an investigation on the incidents of July and August 1997 and 6 May 1998 and all incidents in between", if it has no bearing on the settlement of the dispute?

The High-level Delegation is of the view that such an investigation has a bearing on a lasting settlement of the dispute. It will provide further clarity on those events, and allow OAU to appreciate the problem in all its dimensions. In the meantime, the recommendations on redeployment and demilitarization are aimed at creating an enabling environment for the processes of delimitation, demarcation and arbitration.

(b) Why are the incidents that occurred on 6 May and that escalated through a series of spiralling clashes until 12 May not seen as one integral act of violation? Moreover, why is 6 May 1998 seen as central? Why not July 1997?

See response in 2 (b).

5. Regarding colonial treaties

(a) Has OAU ascertained that both sides recognize and respect the colonial boundary between the two countries as defined by the established colonial treaties?

This is a fundamental principle of OAU which all OAU member States have accepted. This principle is therefore reflected in the proposals submitted by the OAU High-level Delegation to both parties. The OAU takes it that by accepting these proposals and eventually by signing the Framework Agreement, which contains this principle, the two parties would have committed themselves to abide by this principle.

(b) If this is the case, can this be affirmed through an agreement between the two parties?

This principle is part and parcel of the Framework Agreement.

(c) What is the meaning of the clause "international law applicable to the colonial treaties"?

International law means laws that govern the relations between States. In this particular case, international law would refer to the specific aspects of international law relevant to the colonial treaties.

(d) What is the precise interpretation of the Charters of OAU and the United Nations concerning colonial treaties?

As far as OAU is concerned, it is to be noted that its Charter refers to the principle of territorial integrity of its member States. This position was further elaborated in the well-known resolution AHG/Res. 16 (1), adopted at the OAU Summit in Cairo in July 1964, which provided in its operative paragraphs as follows:

"Solemnly reaffirms the strict respect by all Member States of the Organization for the principles laid down in paragraph 3 of Article III of the Charter of the Organization of African Unity;

"Solemnly declares that all Member States pledge themselves to respect the borders existing on their achievement of national independence".

6. Regarding demarcation

(a) What is the legal basis for demarcation?

The signing of the Framework Agreement by the two parties.

(b) What are its modalities, mechanism and time-frame?

The time-frame is six months, to be extended as provided for in the Framework Agreement (on the recommendation of the cartographic experts).

The modalities and mechanism to be worked out by the follow-up committee, in consultation with the exports.

(c) What are the legal arrangements that will render the outcome binding?

Same response as in 6 (a).

7. Principle of the non-use of force and intimidation

(a) Has the Committee attempted to ascertain which party has used force as a means of imposing a solution?

This will be determined by the investigations to be carried out as a part of the comprehensive settlement plan.

(b) Has the Committee tried to ascertain which party resorted to force in the July 1997 incident at Adi Murug, the January 1998 incident on the Assab road and the May incidents in Badme?

The July 1997 and the May 1998 incidents will be the subject of the proposed investigation. The January 1998 incident is new to OAU, but could be covered by the investigation as proposed in the Framework Agreement where reference is made to the need to investigate other incidents that may have contributed to the present dispute.

(c) What is the position of the committee regarding the resolution of Ethiopia's Parliament, on 13 May 1998, declaring war against Eritrea?

The Committee has refrained from making any judgement on statements by the Governments and institutions in both countries. It has consistently appealed to both parties to exercise restraint and refrain from any actions and decisions which could harm the relations between the two sisterly countries and their peoples.

On the rest of the clarifications sought under item 7, the Committee considered its role to be one of offering good offices to both parties and urging them to exercise maximum restraint, as well as to opt for a peaceful settlement of their dispute.

8. Regarding the principle of a peaceful solution to disputes

(a) Which party has been routinely rejecting a peaceful solution?

Both parties have consistently expressed to the OAU High-level Delegation their commitment to a peaceful settlement of the current dispute.

(b) Is unconditional cessation of hostilities acceptable to both sides?

The OAU High-level Delegation did not address the issue of unconditional cessation of hostilities. It has taken the issue of cessation of hostilities within the context of the Framework Agreement submitted to both sides. In fact, the cessation of hostilities is contained in the first operative paragraph of the Framework Agreement.

9. Regarding the violation of basic human rights of citizens

(a) Has the Committee taken stock of the basic violations committed and property illegally confiscated?

See the relevant paragraph in the introductory note handed over to both parties by the Ministerial Committee in Ouagadougou (1 and 2 August 1998) which stated, inter alia, "As regards the situation of Eritreans in Ethiopia ... However, the conditions in which those deportations were carried out, the decision to extent those measures to families of the deported persons and the fate of their properties are a source of deep concern".

(b) What will be the role of OAU in ensuring that these violations are redressed?

OAU, with the cooperation of both parties and with the assistance of the United Nations and other relevant institutions, will help the parties to address all aspects of the dispute, including the humanitarian problems generated by the dispute.

10. Regarding the Central Organ of OAU

(a) What is the mandate of the Central Organ?

See the 1993 Cairo Declaration of the OAU Summit establishing the Mechanism for Conflict Prevention, Management and Resolution.

(b) What can we expect from the forthcoming meeting of the Central Organ?

See the communiqué adopted by the Central Organ at the end of its deliberations.

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S/1999/275
12 March 1999

ORIGINAL: ENGLISH

LETTER DATED 12 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to forward herewith a letter dated 12 March 1999, addressed to you by Mr. Aleksandar Dimitrov, Minister for Foreign Affairs of the Republic of Macedonia, concerning the United Nations Preventive Deployment Force (see annex). I should be grateful if you would bring the contents of the letter to the attention of the Members of the Security Council.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) Naste ČALOVSKI
Ambassador
Permanent Representative

99-06875 (E) 120399

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Annex

Letter dated 12 March 1999 from the Minister for Foreign Affairs of the Former Yugoslav Republic of Macedonia addressed to the Secretary-General

Allow me to present my compliments and to address you regarding the outcome of the Security Council meeting of 25 February 1999, when regretfully the stay of the United Nations Preventive Deployment Force (UNPREDEP) in the Republic of Macedonia was not extended.

Before asking for your views on this issue, I would like to reiterate that the Government of the Republic of Macedonia considers that the cooperation with UNPREDEP has been very successful thus far. I would like to take this opportunity to thank you for your persistent efforts for extension of the UNPREDEP mandate. I should like to convince you that the citizens of the Republic of Macedonia deeply appreciate your profound engagement in this regard.

As you have underlined in your report of 12 February 1999 (S/1999/161), the peace and stability of the Republic of Macedonia still depend on regional developments. Unfortunately, the reasons presented in my letter dated 29 January 1999 (S/1999/108), in which I requested the extension of the mandate, remain. Moreover, the presence of the United Nations in the region is more than a necessity owing to the present and future developments in Kosovo, Federal Republic of Yugoslavia.

In this context, I hope that, in addition to our activities, your efforts as well as the efforts of the Security Council shall continue in order to secure an international presence in the region. I am convinced that the United Nations can play an important role in this respect. At the moment, we are attentively considering an arrangement possibly led by the North Atlantic Treaty Organization, but with a clear United Nations connection, which could be endorsed or noted with appreciation by the Security Council, or it could be under some other umbrella.

All your suggestions related to the finding of an acceptable way of filling the security gap that occurred with the non-extension of the UNPREDEP mandate shall be highly appreciated and most carefully considered.

(Signed) Aleksandar DIMITROV

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GENERAL

S/1999/276
15 March 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 15 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC REPUBLIC OF THE CONGO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I regret to inform you of the recent massacre of 100 innocent civilians in the town of Kamituga, province of Sud-Kivu.

This slaughter was perpetrated on 5 March 1999 by Rwandan elements of the Rwandan-Ugandan coalition troops in the said locality. It is one more in the already long list of massacres committed by these occupation troops in the Democratic Republic of the Congo.

The Government of the Democratic Republic of the Congo recalls the press statement made on Wednesday, 13 January 1999 by the President of the Security Council, who stated in particular with regard to the Makobola massacre, also in the province of Sud-Kivu, that the members of the Council had expressed their indignation at the reports of a massacre of hundreds of civilians in Sud-Kivu and called for an international inquiry into these killings.

The Government of the Democratic Republic of the Congo, reiterating its call for those aggressors who prove to have participated in massacres, atrocities and violations of humanitarian law in Congolese territory to be brought to justice, urges the Security Council to expedite an international inquiry, both into the Makobola massacre, as decided by the Council on 13 January 1999, and into the Kamituga massacre.

The Council is further urged to extend its investigations to all of the atrocities and violations of international humanitarian law committed by Uganda and Rwanda in the Democratic Republic of the Congo.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) André MWAMBA KAPANGA
Ambassador
Permanent Representative

99-07034 (E) 150399 150399

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Security Council

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GENERAL

S/1999/277
15 March 1999
ENGLISH
ORIGINAL: ARABIC

IDENTICAL LETTERS DATED 15 MARCH 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF SAUDI ARABIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to draw your attention to the letters which the Permanent Representative of Iraq to the United Nations addressed to each of you, in which he claimed that United States and United Kingdom aircraft coming from Saudi territory had violated Iraqi airspace, requested that steps be taken to put an end to such activities, which contravened the Charter of the United Nations and the rules of international law, and reasserted Iraq's right to request compensation in accordance with law for the damage sustained as a result of such acts.

On behalf of the Government of the Kingdom of Saudi Arabia, I should like to assure you that the statements of the Permanent Representative of Iraq, claiming that the United States and United Kingdom aircraft mentioned above had taken off from Saudi territory, are completely gratuitous and unfounded.

Moreover, I wish to point out that there exist Security Council resolutions, adopted in the wake of the aggression launched by Iraq against Kuwait in August 1990, as well as related measures, to which Iraq itself consented at the time. Iraq knows very well that the main reason why the international sanctions and the related measures that were imposed on it have been maintained is that it has not implemented all of the Security Council resolutions concerning its aggression against Kuwait which it had claimed to approve.

As to the passages in which the Permanent Representative of Iraq reasserts his country's right, enshrined in law, to request compensation in accordance with the principle of international liability for the moral and material damage sustained, we wish to reaffirm that the liability for such damage falls squarely on the Iraqi Government, whose policies of aggression, and the consequences arising therefrom, led to the adoption of international resolutions and measures based on the international legal order.

While condemning Iraq's requests, the Kingdom of Saudi Arabia wishes to reassert its right, enshrined in law, to request compensation for the moral and

material damage sustained as a result of the aggression launched by Iraq against the Saudi territory and people.

Moreover, while denouncing the fallaciousness of the statements contained in the letters from the Permanent Representative of Iraq, which do not contain the slightest particle of truth, either in their totality or in their minute details, the Kingdom of Saudi Arabia wishes to restate its firm resolve to abide by all treaties, practices, instruments and laws in force at the international level and to observe strictly the principle of the inviolability of frontiers, in accordance with the agreements signed, ratified and deposited with international organizations. In its policy towards its neighbours, the Kingdom of Saudi Arabia applies the principles of good-neighbourliness and mutual respect, in accordance with the rules embodied in international law, the international legal order and the Charter of the United Nations.

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(Signed) Abdulrahman AL-AHMED
Chargé d'affaires a.i.

UNITED NATIONS **S**

Security Council

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GENERAL

S/1999/278
15 March 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 4 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC REPUBLIC OF THE CONGO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to request you to arrange, at your earliest convenience, an open debate on the question: "Peaceful settlement of the conflict in the Democratic Republic of the Congo".

My Government would be grateful if you would give this request the urgent attention that it deserves.

(Signed) André MWAMBA KAPANGA
Ambassador
Permanent Representative

99-07051 (E) 150399 150399

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Security Council

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GENERAL

S/1999/279
16 March 1999

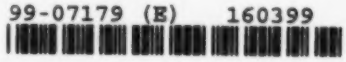
ORIGINAL: ENGLISH

LETTER DATED 15 MARCH 1999 FROM THE CHAIRMAN OF THE SECURITY COUNCIL COMMITTEE ESTABLISHED BY RESOLUTION 661 (1990) CONCERNING THE SITUATION BETWEEN IRAQ AND KUWAIT ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith, pursuant to paragraph 10 of Security Council resolution 1210 (1998), the report of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait. The report was adopted by the Committee on 12 March 1999.

(Signed) A. Peter VAN WALSUM
Chairman
Security Council Committee established
by resolution 661 (1990) concerning the
situation between Iraq and Kuwait

99-07179 (E) 160399



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Annex

Report of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995)

I. INTRODUCTION

1. The present report is submitted to the Security Council pursuant to paragraph 10 of resolution 1210 (1998), by which the Committee was requested, in close coordination with the Secretary-General, to report to the Council 90 days after the entry into force of paragraph 1 of that resolution on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995). By paragraph 1 of resolution 1210 (1998), the Council decided that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12, would remain in force for a new period of 180 days beginning at 0001 hours, Eastern Standard Time, on 26 November 1998.

2. The Committee has to date submitted 10 reports to the Security Council on the oil-for-food programme: 8 reports (S/1997/213, S/1997/417, S/1997/692, S/1997/942, S/1998/187, S/1998/469, S/1998/813 and S/1998/1104) on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995) and 2 reports (S/1998/92 and S/1998/336) on the refining and clarifying of the Committee's working procedures in order to expedite the approval process for sending humanitarian supplies to Iraq.

II. SALE OF PETROLEUM AND PETROLEUM PRODUCTS

3. Since the beginning of phase V, the export of petroleum from Iraq has proceeded smoothly, with excellent cooperation among the oil overseers, the independent inspection agents (Saybolt), the Iraqi State Oil Marketing Organization and the national oil purchasers.

4. The overseers continue to advise the Committee on the pricing mechanisms, contract approval and modifications, management of the revenue objective and other pertinent questions related to export and monitoring, under Security Council resolutions 986 (1995), 1153 (1998), 1175 (1998) and 1210 (1998).

5. As of 23 February 1999, the Committee, upon the recommendation of the overseers, and the overseers, on behalf of the Committee, have reviewed and approved a total of 82 contracts, involving purchasers from 24 countries. One contract has been sent to the Committee for consideration with the recommendation of the overseers; six contracts are still pending owing to a lack of supporting documents. The total quantity of oil approved for export under those contracts corresponds to approximately 306 million barrels for phase V. All but one contract submitted employed pricing mechanisms approved by the Committee on the recommendation of the overseers.

6. One hundred twenty-nine liftings, totalling 165.1 million barrels valued at $1,404 million, have been completed (as of 23 February 1999). Letters of credit opened for each of the liftings were reviewed and confirmed by the overseers once the terms and conditions of the contracts approved had been complied with. About 45 per cent of the liftings were made at Ceyhan in Turkey. At the current low prices, the total revenue for the whole of phase V is estimated at $2.82 billion (including the pipeline fees). The distribution plan anticipated expenditures for humanitarian supplies and for oil spare parts and equipment of $2.746 billion, the financing of which would require gross oil revenues of about $4.342 billion.

7. The overseers and the independent inspection agents (Saybolt) deployed to monitor oil loadings and transfers continue to work closely to ensure the effective monitoring of the relevant oil installations as well as the liftings. For the third consecutive year, they have received the full cooperation of the Iraqi authorities.

8. Pursuant to paragraph 2 of the procedures of the Committee (S/1996/636), 327 national oil purchasers have been nominated from 51 countries who are authorized to communicate directly with the overseers.

9. Pursuant to paragraph 14 of the procedures of the Committee, the overseers have continued to report to it once a week on the contracts considered by them regarding the sale of petroleum originating in Iraq, including the cumulative quantity and approximate value of petroleum authorized for export. To date, 114 such reports have been submitted to the Committee.

III. EXPORT OF HUMANITARIAN SUPPLIES TO IRAQ

10. As in the previous four phases, the Committee, during the first 90-day period of phase V, continues to attach high priority to the work of processing contracts for supplying humanitarian goods to Iraq under the expanded programme. On 8 February 1999, the Committee further revised its procedure for calculating the validity period of approval letters under resolution 986 (1995) from the date the approval letters are actually issued to the applicant mission.

11. As of 23 February 1999, the Secretariat has received 274 applications under phase V for exports of humanitarian supplies to Iraq. Of the total, 3 were subsequently cancelled, 112 have been circulated to Committee members for action and 159 are still being processed. Of those sent to the Committee for consideration, 104 have been found eligible for payment from the United Nations Iraq Account, totalling approximately $464 million; and 8 are still pending under the "no-objection" procedure. Of the 104 applications which were found eligible for payment from the Iraq Account, 71 have been answered with letters of approval on the basis of availability of funds and the remaining 33 are waiting for sufficient funds to become available in the Iraq Account.

12. In the light of projections that phase IV revenues would be insufficient to fund all applications received by the Secretariat for phase V, at the request of the Government of Iraq, 132 phase IV applications valued at about $358,938,878 have been transferred to phase V as of 24 February 1999. Thirty-four of these

applications, valued at a total of $179,607,075 and all for foodstuffs, have been circulated to and approved by the Committee. Owing to projected phase V revenue shortfalls, circulation of those applications rolled over from phase IV to phase V in other than the food sector has been held in abeyance by the Secretariat pending a reply from the Government of Iraq to a request from the Office of the Iraq Programme for new phase V sectoral allocations. The applications not yet circulated under phase V include 98 applications transferred from phase IV with a total value of $179,331,803. In addition, 112 applications with a total value of $213,730,123 remain in phase IV and have been evaluated by the Secretariat but cannot be circulated owing to insufficient phase IV revenues.

13. The work of goods-arrival confirmation by the United Nations independent inspection agents (Lloyd's Register performed the task until the end of January and Cotecna took it over on 1 February 1999) went according to plan except for an interruption in mid-December 1998 during the military strike. As in previous phases, the Iraqi authorities have accorded the independent agents full cooperation in their work. During the first half of phase V, 2,514 consignments of humanitarian supplies from previous phases were confirmed as having arrived in Iraq in total or partial shipments.

14. The Committee held four formal meetings and six expert meetings during the reporting period to discuss various issues related to the oil-for-food programme.

15. Regarding financial issues, the modalities of the Hajj pilgrimage have been discussed in accordance with paragraph 3 of Security Council resolution 1210 (1998). The situation of the reimbursement of the 53 per cent account from the 13 per cent account for joint purchases of bulk food and medicines remains a particular concern of the Committee. As of 24 February 1999, the projection is that approximately $170,000,000 may be reimbursed to the 53 per cent account from the 13 per cent account subject to confirmed delivery of bulk foodstuffs and medicines to the three northern governorates. Recently, the Committee discussed a possible new arrangement, as presented by the Executive Director of the Office of the Iraq Programme on 11 February 1999, for advancing funds for food procured and delivered to northern Iraq, as required by paragraph 4 of Security Council resolution 1210 (1998). The arrangement is still under consideration.

IV. MATTERS RELATING TO OIL SPARE PARTS AND EQUIPMENT TO IRAQ

16. By paragraph 2 of resolution 1175 (1998), the Security Council requested the Committee, or a panel of experts appointed by the Committee, to approve contracts for the parts and equipment referred to in paragraph 1 of the resolution according to lists of parts and equipment approved by the Committee for each individual project. By paragraph 3 of the same resolution, the Council further decided that up to a total of $300 million from the escrow account might be used for that purpose. The above arrangement is reaffirmed by paragraph 8 of resolution 1210 (1998) and the Secretary-General submitted on 29 December 1998 a report (S/1998/1233, annex) with a detailed list of parts and

equipment necessary for the purpose described in paragraph 1 of resolution 1175 (1998).

17. The Committee has been making continuous efforts to expedite the approval process for contracts for sending oil spare parts and equipment to Iraq in accordance with existing procedures. In this connection, the Committee was briefed in January 1999 by Saybolt Nederland BV, the independent agents monitoring Iraq's oil export under resolution 986 (1995).

18. During the period of the present report, the Secretariat received 162 new applications, valued at $87,546,924, to ship oil spare parts and equipment to Iraq and circulated 204 applications, including those left from previous resolutions, to the members of the Committee for consideration. A total of 215 applications with a value of $105,996,077 were approved during this period, including 109 applications valued at $62,169,964 which were released from previous holds since the Committee's last report. At the same time, 78 contracts valued at $31,995,051 were placed on hold; 38 of them, valued at $19,818,792, were subsequently released from holds. By the end of this period, 40 applications, with a value of $12,176,259, remained on hold. From the beginning of the process through 23 February 1999, the number of applications received by the Committee to ship oil spare parts and equipment to Iraq under previous resolutions reached a total of 517 with a value of $275,984,077. Of those, 478 have been circulated to the members of the Committee for consideration; 6 are being reviewed by Committee experts awaiting amendments to the distribution plan; 26 have been returned to the applicant missions for clarification and 7 have been declared null and void. Of the 478 applications circulated, 367 have been approved, with a total value of $208,802,908; 86 valued at $24,276,108 have been placed on hold and 25 are pending under the "no-objection" procedure. Shipments of oil spare parts and equipment began arriving in Iraq in January 1999. As of 23 February 1999, 13 such shipments have arrived in Iraq in total or in part.

V. CONCLUSIONS

19. The Committee remains committed to working closely with the Office of the Iraq Programme for the effective implementation of all relevant arrangements under the oil-for-food programme. The Committee wishes to reiterate its appreciation to all parties concerned for their cooperation and contribution in this respect.

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Security Council

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GENERAL

S/1999/280
16 March 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 14 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that the statements contained in the two annexes to the letter which the Permanent Representative of the Islamic Republic of Iran addressed to you on 26 January 1999 (S/1999/81) are false, in that the Iraqi competent authorities did not register any of the incidents to which the above-mentioned document refers.

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(Signed) Saeed HASAN
Ambassador
Permanent Representative

99-07240 (E) 160399 160399

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GENERAL

S/1999/281
16 March 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 16 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 15 March 1999 addressed to you by Mr. Tariq Aziz, Deputy Prime Minister and Acting Minister for Foreign Affairs of Iraq, concerning violations of Iraqi laws committed by staff members of the United Nations and its specialized agencies.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Ambassador
Permanent Representative

99-07275 (E) 170399 170399

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Annex

Letter dated 15 March 1999 from the Deputy Prime Minister and Acting Minister for Foreign Affairs of Iraq addressed to the Secretary-General

As staff members of the United Nations and its specialized agencies were leaving Iraq on 23 February 1999, the customs authorities at the Qadisiyah border complex at Trebil found in the possession of Ms. Daniela Mangione, an observer with the Food and Agriculture Organization of the United Nations, 10 Iranian rugs that were concealed among her personal effects for the purpose of smuggling them out of the country. She was informed by the customs authorities that such items were contraband and that legal proceedings would have to be taken against her. In keeping with the spirit of transparency and cooperation shown by Iraq to staff members of the United Nations and its specialized agencies working in the country, she was allowed to leave Iraq.

Since the memorandum of understanding of 20 May 1996 between Iraq and the United Nations Secretariat was first put into effect, we have been confronted with many actions and practices on the part of those working for the United Nations specialized agencies that do not accord with the custom of respecting the law of the land, and they have included smuggling contraband items out of Iraq.

Mr. Taha Yasin Ramadan, Vice-President of Iraq, raised the question of customs violations and the smuggling of items out of Iraq with Mr. Benon V. Sevan, Executive Director of the Iraq Programme, at their meeting on 2 July 1998 in Baghdad.

The smuggling of contraband items out of Iraq, particularly in the circumstances created by the iniquitous embargo that has been maintained against the country for more than eight years, is an act that is both morally and legally unacceptable. Accordingly, we hope that you will intervene by issuing instructions to those staff members of the United Nations and its specialized agencies who work in Iraq to the effect that they are required to respect and to comply with Iraqi laws.

(Signed) Tariq AZIZ
Deputy Prime Minister
Acting Minister for Foreign Affairs
of the Republic of Iraq

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A/53/863
S/1999/282
16 March 1999

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-third session
Agenda items 62 and 110
QUESTION OF CYPRUS
HUMAN RIGHTS QUESTIONS

SECURITY COUNCIL
Fifty-fourth year

Letter dated 12 March 1999 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government I have the honour to refer to the issue of compulsory population transfer and the implantation of settlers. This is a matter of serious concern to the international community and to Cyprus in particular.

Article 49 of the Fourth Geneva Convention of 1949 and articles 5 and 7 of the statute of the International Criminal Court adopted in Rome on 17 July 1998 are unequivocal in holding that compulsory population transfers constitute not only internationally wrongful acts but also international crimes.

It is also pertinent to refer to the recent decision of the Economic and Social Council, decision 1998/292 of 31 July 1998, on freedom of movement and population transfer, which dealt with the report of the United Nations Special Rapporteur on human rights and population transfer. I would draw attention to the draft declaration on population transfer and the implantation of settlers appended to the report and its articles 7 and 10, which reiterate the fundamental rule of international law that violations of jus cogens cannot be legalized by international agreement and that the international community as a whole and individual States in themselves are, inter alia, under an obligation not to recognize as legal the situation created by such illegal acts.

With regard to the situation in Cyprus, the General Assembly and Security Council have taken positions upholding international legality. More specifically, it should be recalled that the Security Council in its resolution 361 (1974) expressed its grave concern at the plight of the refugees and called for permitting those who wished to do so to return to their homes in safety. Subsequently, in its resolution 365 (1974), the Security Council endorsed

General Assembly resolution 3212 (XXIX), and urged its implementation as soon as possible. In resolution 3212 (XXIX), paragraph 5, the General Assembly considered that all the refugees should return to their homes in safety.

As you are aware, the questions, inter alia, of the right of return of displaced persons and their continuing right to their homes and properties in accordance with international law and human rights norms, as well as the occupation of such properties by Turkish settlers and their repatriation to Turkey, were raised in discussions on the set of ideas with the then Secretary-General, in October and November 1992. As indicated in the report of the Secretary-General on his good offices mission in Cyprus (S/24830 of 19 November 1992, para. 37), the Government of Cyprus then suggested that any basic legal issues be referred to the International Court of Justice.

Moreover, in the summary of the positions of the two sides and of the United Nations, presented by the Secretary-General on 11 November 1992, the United Nations position, at pages 12 and 13, was reflected in terms of Security Council resolution 361 (1974), General Assembly resolution 3212 (XXIX) and Security Council resolution 365 (1974) as urging the taking of appropriate measures to permit persons who wished to do so to return to their homes in safety.

On behalf of the Government of the Republic of Cyprus, I would like to reiterate our commitment to a peaceful solution of the Cyprus problem on the basis of the United Nations resolutions and international law safeguarding the interests and the human rights of all its citizens.

I should be grateful if you would circulate the present letter as a document of the General Assembly, under items 62 and 110, and of the Security Council.

(Signed) Sotos ZACKHEOS
Ambassador
Permanent Representative

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GENERAL ASSEMBLY
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QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-fourth year

Letter dated 12 March 1999 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 1 March 1999 (A/53/848-S/1999/218), I have the honour to draw Your Excellency's attention to a new violation of the national airspace of the Republic of Cyprus and of the flight information region (FIR) of Nicosia by military aircraft of the Turkish Air Force, recorded on 10 March 1999.

On that day, one C-160 military aircraft of the Turkish Air Force entered the Nicosia FIR, violating international air traffic regulations.

The aircraft in question violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia, exiting at 1438 hrs in a south-easterly direction.

As stated in my previous letters, these Turkish unauthorized intrusions into the Nicosia FIR and the national airspace of the Republic of Cyprus are in violation of international air traffic rules and, at the same time, they are in contravention of the provisions of the Security Council resolutions on Cyprus.

On behalf of the Government of the Republic of Cyprus, I wish to strongly protest this new provocative act by Turkey, which constitutes a further reminder of that country's offensive disregard of international law, the Charter of the United Nations and all the relevant decisions of the Organization on the question of Cyprus.

I would like to underline that the present violations occurred after the adoption of Security Council resolutions 1217 (1998) and 1218 (1998), in which the Council called upon all States to respect the sovereignty and territorial integrity of the Republic of Cyprus and to refrain from any action which might prejudice that sovereignty, independence and territorial integrity. My

Government expects that the Turkish side will show compliance with the provisions of those resolutions.

Such provocative actions are not conducive to reducing tension and run counter to the initiative of the Secretary-General announced on 30 September 1998, within the framework of his mission of good offices, with the goal of reducing tensions and promoting progress towards a just and lasting settlement in Cyprus.

Furthermore, the continuing overflights by the Turkish Air Force as well as the presence of the Turkish military occupation forces on the island constitute the underlying causes of tension in Cyprus.

I should be grateful if you would have the text of the present letter circulated as a document of the General Assembly, under agenda item 62, and of the Security Council.

(Signed) Sotos ZACKHEOS
Ambassador
Permanent Representative

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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS MISSION IN BOSNIA AND HERZEGOVINA

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 20 of Security Council resolution 1174 (1998) of 15 June 1998. It summarizes the activities of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) since my report of 16 December 1998 (S/1998/1174). The report also provides an overview of the activities of the United Nations system in Bosnia and Herzegovina during the same period.

2. UNMIBH continues to be led by my Special Representative and Coordinator of United Nations Operations in Bosnia and Herzegovina, Elisabeth Rehn (Finland). She was assisted in her tasks during the period covered by the report by Richard Monk (United Kingdom of Great Britain and Northern Ireland), who served as Commissioner of the International Police Task Force (IPTF) until 1 March 1999. Pending the appointment of a new Commissioner, David McBride (United States of America), serves as Acting Commissioner. The authorized strength of IPTF continues to be 2,057 (see annex).

II. ACTIVITIES OF THE MISSION

Police restructuring and reform

3. The International Police Task Force has continued its efforts, as described in my last report (S/1998/1174, para. 3), to restructure and reform the police services in the Federation of Bosnia and Herzegovina (the Federation). There has been only slow progress in cantons 8 (Ljubuski) and 10 (Livno), where the initial inauguration of the police - the starting point for substantive restructuring - has still not taken place. Croat officials in the canton 8 (Ljubuski) Ministry of the Interior finally proposed a neutral shoulder insignia for use by cantonal police and the proposal now awaits final approval by the cantonal Assembly. The lack of a neutral insignia had been the main impediment to the inauguration of the canton 2 (Orasje) police service. In canton 10, delays in forming a cantonal government following the elections of 12 and 13 September 1998 have continued to impede the inauguration of the police service for the reasons described in my report of 10 June 1998 (S/1998/491).

4. In the Federation, UNMIBH has made progress towards the achievement of the minority quotas of the Bonn-Petersberg Agreement of 25 April 1996 (see S/1998/1174, para. 5). The cantonal working groups on minority police recruitment and return, made up of officials from UNMIBH and each cantonal Ministry, have identified and screened more than 700 minority applicants for police services in the Federation who have never before worked as police officers. Federation authorities can now select individuals from this pool of candidates for testing, training and deployment. The working groups have also begun to identify experienced minority officers who are available for transfer within the Federation police service and between the two entities. Bilateral assistance from the United States has financed the reconstruction of eight houses for Bosniac police officers who had returned to the Croat-majority municipality of Capljina in canton 7 (Mostar), and funds may be available to reconstruct an additional 20 houses.

5. There has also been slow but significant progress in police restructuring and reform in the Republika Srpska. A team of officials from UNMIBH and the Ministry of the Interior has been meeting weekly to ensure that the deadlines contained in the Framework Agreement on Police Restructuring, Reform and Democratization in the Republika Srpska, which was signed on 9 December 1998 (see S/1998/1174, para. 8) are met. The Republika Srpska officials have for the first time given IPTF the official staffing list of the Ministry, which will enable IPTF to begin registering police officers and issuing identity cards. The Ministry of the Interior has also approved a new police uniform for use throughout the Republika Srpska. IPTF is currently reviewing the Ministry's "Book of Rules" to ensure that it is consistent with the practices of democratic policing. Of 208 minority applicants for positions with the Republika Srpska police, IPTF has concluded that 178 are eligible to serve on the force, the majority of them in the north-western city of Prijedor and in Banja Luka.

6. The International Police Task Force has continued to expand its programme of co-location in both the Federation and the Republika Srpska with a goal of comprehensive coverage down to middle-management levels of the police administrations (see S/1998/1174, para. 7). Currently, high-level IPTF advisers are deployed in all nine public security centres in the Republika Srpska and in all 10 cantonal Ministries of the Interior in the Federation. In addition, 79 IPTF advisers are co-located in police stations in the Republika Srpska and 89 in police stations in the Federation. It is expected that IPTF will double the number of "co-locators" deployed in police stations in both entities in the coming months. Three specialized advisers are working in the Federation Ministry of the Interior in the areas of criminal investigation, anti-terrorism and academy training. In areas with a high incidence of violent crime and an unusually low crime solving record, such as in the Federation municipality of Stolac in canton 7 (Mostar), IPTF monitors with specialized skills have been assigned to work alongside local counterparts.

7. Regular meetings between the IPTF Commissioner and his Deputy with Ministers and Deputy Ministers of the Interior from the Republika Srpska and the Federation (see S/1998/1174, para. 9) are continuing. These meetings have led to the formation of an inter-entity advisory team on automobile theft, and to an inter-entity planning effort to address organized crime in public markets along the inter-entity boundary line, such as the "Arizona" market in northern Bosnia

and Herzegovina and the market between Stolac in canton 7 (Mostar) and Berkovici in the Republika Srpska. The IPTF Commissioner has begun to address the issue of inter-entity transfers of police officers at these meetings.

8. Contributions are needed for the Police Assistance Trust Fund to implement a programme, composed of three types of projects, to assist the police in the Republika Srpska and the Federation. One type consists of 33 projects to provide local police stations with essential equipment, and totals US$ 20,085,000. The second type consists of one project for the Federation Police Academy and one for the Republika Srpska Police Academy, and totals $6,433,500. The third type consists of a quick impact fund of $750,000 to cover costs that arise from the implementation of agreements on police restructuring and reform. The Trust Fund has now received a total of $9,647,000. The generous assistance extended by the Governments of Canada, Germany, Italy, Japan, Luxembourg, Norway, the Netherlands, Switzerland and the United Kingdom of Great Britain and Northern Ireland will help sustain the present pace of police restructuring, although some $100 million are still required to complete equipping and training of the local police force to appropriate levels. I appeal to the Governments of other countries also to contribute generously to the UNMIBH Trust Fund.

Police monitoring

9. While police restructuring and reform is ongoing, monitoring of the local police remains a central component of the daily work of IPTF. This activity continues to evolve from general monitoring of local police in the community to targeted monitoring meant to support efforts at police restructuring and reform, to instil confidence in minority police officers and to increase the confidence of minority returnees in the local police.

10. Together with more specialized forms of monitoring, such as co-location and support for local investigations, basic monitoring continues to be the core task of well over half of the IPTF officers. In addition to conducting regular patrols of communities, IPTF accompanies local police patrols to assess the effectiveness of joint policing in the Federation. Monitoring of returnee movements and visits is essential to the assessment of the capacity of local police to provide security in the communities of return. In addition, IPTF monitors police response to incidents at the request of individuals or local authorities. Many of these incidents are associated with return and property.

Police certification and training

11. The IPTF training and certification programme continues to help promote the principles and practices of democratic policing and the depoliticization of the police as central elements of police reform. In the Federation, 10,610 (92.3 per cent) of the 11,500 authorized officers have completed the human dignity training and 8,745 (76 per cent) have completed the transitional training. In the Republika Srpska, 6,622 (77.9 per cent) of the 8,500 authorized officers have completed the human dignity training and 1,791 (21.1 per cent) have completed the transitional training. As this initial training of local police in the Federation nears completion, a new IPTF Curriculum and Evaluation Section has been developing in-service training

programmes in community policing, crime prevention and other more specialized police tasks. A community-based policing training programme was held in the Republika Srpska municipality of Doboj. UNMIBH has also begun to revise its policies towards and procedures of certification, so that police officers remain subject to rigorous criteria of eligibility after their provisional certification upon joining the service. To date, IPTF has provisionally certified 10,199 officers in the Federation and 210 in Brcko.

12. The International Police Task Force continues to implement its non-compliance policy (see S/1998/1174, para. 12). Between 11 November 1998 and 28 February 1999, the Non-Compliance Unit received 251 reports of non-compliance of police officers with their obligations. Forty of these cases are active and 211 are closed. Of the 82 reports of minor violations, 47 concerned failure to comply with the IPTF traffic and crime control policy (see para. 19 below) and 28 concerned failure to give IPTF access to records and answer requests for information. Of the 77 reports of non-criminal and human rights violations, 11 concerned orders by local police chiefs or supervisors to subordinates not to cooperate with IPTF, 16 concerned failure to issue documents to citizens, and 24 concerned failure to assist court-ordered evictions. Of the 92 reports of criminal and serious human rights offences, 30 concerned arbitrary and prolonged detention or arrest.

13. In accordance with the recommendations of the London and Bonn Peace Implementation Conferences, which were endorsed by the Security Council in its resolution 1168 (1998) of 21 May 1998, UNMIBH has established a Drug Control Unit, an Organized Crime Unit and a Public Order and Critical Incident Management Unit to provide specialized training and advice to the local police. The Public Order and Critical Incident Management Unit has cooperated closely with the International Criminal Investigative Training Assistance Programme to complete assessments of police capabilities in the Federation and the Republika Srpska and to build up emergency communication centres in Bihac and Brcko. In addition to crowd control training in Brcko and the Republika Srpska municipality of Bijeljina, the Unit has also undertaken management training for supervisors in Sarajevo. Crowd control training will continue throughout March 1999 for a further 1,200 officers in the Republika Srpska. The Unit is nearing completion of a Crowd Control Handbook for local police.

14. The Organized Crime Unit has been assisting investigations by Federation and local police in the Federation municipalities of Travnik, Mostar and Tuzla. Its advice has led to the tentative agreement of the Federation Ministry of the Interior to restructuring the Federation Crime Unit as a first step in unifying the Federation's crime police. The Unit has also created an inter-entity vehicles anti-theft working group composed of investigators from the Republika Srpska and the Federation. It will hold common courses in organized crime skills for local police instructors from both entities. In response to a pattern of unsolved crimes (see paras. 27 and 29 below), it has launched a project in investigative oversight together with the Federation Ministry of the Interior and the police from canton 6 (Travnik) and canton 7 (Mostar). This Joint Investigative Task Force will cooperate with the Office of the High Representative and the Stabilization Force (SFOR) in exploring major crime patterns in the two cantons.

15. The Drug Control Unit works closely with the United Nations International Drug Control Programme and has begun courses for IPTF monitors throughout the country to enable those monitors to provide in-service training in basic drug awareness and intelligence reporting systems to the local police. A total of 549 local police officers have already been trained by the Unit.

16. The Specialized Training Section also continues its work in other areas of in-service training: IPTF has now trained 32 dog handlers and duty dogs in the Federation. The UNMIBH Police Assistance Trust Fund provides dogs for patrols and work on narcotics investigations. In the reporting period, an additional nine dogs have been trained and certified in Tuzla. In January 1999 IPTF offered a five-day course in traffic training in the Federation municipalities of Tuzla, Orasje and Kljuc to 92 local police officers. This training will continue in Bihac, Drvar, Gorazde, Mostar, Prijedor and Zenica. The first phase of tactical training in emergency response and crisis management and negotiations began late in 1998 and the second phase begins in March 1999. This training is part of the reorganization of the Federation Ministry of the Interior Anti-Terrorist Unit.

17. As indicated in my last report (S/1998/1174, para. 14), 154 officers of the Republika Srpska police anti-terrorist brigade will have completed SFOR-monitored training on 15 March 1999. IPTF will require any former anti-terrorist brigade officer who seeks to work in the restructured Republika Srpska police to undergo the IPTF selection procedure. This procedure requires the successful completion of a basic academy programme for individuals without former police experience. IPTF will not permit the direct transfer of former anti-terrorist brigade officers to a civilian police equivalent.

18. The progress made by UNMIBH in identifying untrained minority candidates for the police in both entities has underscored the significance of academies in achieving the reform and restructuring of police services in the Federation and the Republika Srpska. In the reporting period, UNMIBH assisted Federation authorities in assuming greater responsibility and control over the academy established by the Federation authorities. UNMIBH is currently seeking funding to expand the capacity of the academy from 120 to 500 places in each class. The next class is scheduled to begin on 29 March 1999 and will comprise six months in-class training by a multi-ethnic staff and six months field training. The class will consist predominantly of minority candidates approved by IPTF and Federation authorities and may include a limited number of police officers with less than five years' experience and insufficient police training. In the Republika Srpska, UNMIBH has been working with the authorities to identify a site for a new police academy and is pursuing funding projects to construct a police academy. Pending a permanent solution, UNMIBH and the Republika Srpska Interior Ministry have identified temporary training sites where minority recruits may be trained and potential candidates are now undergoing selection procedures. The European Union has pledged assistance valued at 8.3 million euros ($9.5 million) to refurbish police academies in both entities and UNMIBH has been facilitating contacts between the European Union and local officials.

Freedom of movement

19. The International Police Task Force has been reviewing the traffic and crime control policy, which prohibits the use of police checkpoints without IPTF notification and approval (see S/1998/862, para. 13) and, as a first step, has announced that legitimate radar checks could in future be exempted from the policy.

20. UNMIBH has continued its close cooperation with the Office of the High Representative in the introduction of the common driving licence and in the establishment of a multi-ethnic Bosnia and Herzegovina border service. UNMIBH chairs the Interim Management Team, which consists of officials from the Bosnia and Herzegovina Ministry of Civil Affairs and Communications, entity Ministries of the Interior, and cantonal Ministries of the Interior. The Interim Management Team has been effective in enabling experts to address and implement technical issues in the introduction of common licence plates, common vehicle registration documents and common driving licences. In view of the support expressed for the multi-ethnic border service at the meeting of the Peace Implementation Council in Madrid on 15 and 16 December 1998, UNMIBH has developed proposals for the organization of the service, and for equipping, training and deploying the initial contingent. While the Office of the High Representative prepares draft legislation for the border service, UNMIBH has engaged in technical preparations for organizing the service, which include the Mission's plans to advise, monitor and support the deployment of the initial contingent.

Weapons inspections

21. The International Police Task Force continued, with the support of SFOR, to conduct weapons inspections in police facilities. In the period from 25 November 1998 to 26 February 1999, 149 inspections were performed, 56 in the Republika Srpska and 93 in the Federation. In 50 cases, SFOR support was requested and provided. Eight inspections (3 in the Republika Srpska and 5 in the Federation) led to the confiscation of hidden weapons. Non-compliance reports were issued in five of these cases: three in the Republika Srpska and two in the Federation. Of the 39 inspections that led to the surrender of weapons, ammunition and explosives, 18 were in the Republika Srpska and 21 in the Federation. Overall, 62 pistols, 225 long-barrelled weapons, 25 rocket-grenade launchers, 13 anti-personnel mines, 18 anti-tank mines, 244 hand grenades, 21 rifle grenades, 15 shells, 18.3 kg of explosives and some 23,240 rounds of ammunition were removed from police stations. One search at the Zenica Prison in canton 4 (Zenica) led to the confiscation of 165 rifles.

Brcko

22. UNMIBH stepped up its preparations for the final award for the Brcko area, which was announced on 5 March 1999. UNMIBH officials testified to the Arbitral Tribunal on the performance of the multi-ethnic police since the supplemental award of 15 March 1998. IPTF had earlier carried out contingency plans for possible public protest against the arbitration decision, which included the training and equipping of four platoons in the Brcko multi-ethnic police in crowd control. Following the announcement of the final award, there was no

organized challenge to public order and IPTF assessed that the police behaved professionally.

23. The final award provides that the entire territory of the pre-war municipality of Brcko will constitute "the Brcko District of Bosnia and Herzegovina" under the exclusive sovereignty of Bosnia and Herzegovina. The legal authority of both entities will be permanently suspended and the currently divided district will be recreated as a single administrative unit. The award calls for a unified police force operating under a single command structure and with complete independence from the police establishments in the two entities. The annex to the award states that the statute of the District "shall provide for continuing IPTF guidance" to the District police force. Its principal responsibilities shall be to provide normal law enforcement functions in the District and to ensure complete freedom of movement within the District, with particular emphasis on freedom of movement between the eastern and western portions of Republika Srpska and between the Federation and Croatia.

24. A few hours before the announcement of the final award for the Brcko area, the High Representative dismissed the President of Republika Srpska, Nikola Poplasen. Following the announcement, the Prime Minister of Republika Srpska, Milorad Dodik, resigned and the Serb member of the Presidency of Bosnia and Herzegovina suspended his participation in the joint Presidency. The Republika Srpska National Assembly has not yet taken a decision on a new government and the Republika Srpska Vice-President has so far refused to take up the responsibilities of the Presidency.

Violence against the International Police Task Force in Foca

25. An individual indicted for war crimes by the International Tribunal for the Former Yugoslavia was shot dead on 9 January 1999 in the Republika Srpska municipality of Foca when he resisted attempts by SFOR to detain him. The incident led to an angry response in the town. A crowd which had assembled outside the Foca IPTF station became violent when information was not readily provided on the well-being of five young people who had been travelling with the individual. As a result, the IPTF station, equipment and two vehicles were extensively damaged. Four IPTF monitors who had remained at the station sustained serious injuries while attempting to escape the crowd. IPTF has now resumed its patrolling of Foca during the day and some IPTF officers are co-located in the local police station. In the wake of this incident, UNMIBH has begun a mission-wide assessment of the vulnerability of IPTF stations and is conducting threat assessments, as well as a review of communications equipment and training.

Investigation of human rights violations by local law enforcement personnel

26. The vast majority of human rights violations recorded and investigated by the UNMIBH Human Rights Office continue to be cases of return-related incidents such as bombings, mainly in areas of canton 6 (Travnik) and canton 7 (Mostar), failure of law enforcement officials to respond vigorously to criminal acts, and cases of ill-treatment at the hands of the police. Ongoing property cases relate mainly to delays in the issuance of decisions by law enforcement

agencies, including municipal, housing and judicial bodies, as well as delays in the implementation of those decisions once issued.

27. In view of the inadequate response of the police in Stolac in canton 7 (Mostar) to more than 70 returnee-related incidents since 1 January 1998, an IPTF Special Response Team of the UNMIBH Human Rights Office conducted a full operational performance audit of the town's police administration from 7 to 11 December 1998. The team found that the local police administration lacked an adequate command structure, was subject to inappropriate external influences, and that crime prevention and detection measures of returnee-related violence showed serious deficiencies. The IPTF Commissioner therefore decided to place all members of the police administration on a three-month probation that began on 3 February 1999. During the probation period, IPTF is advising and assisting the Stolac police in building a professional multi-ethnic law enforcement administration. The cantonal Minister of the Interior and the Stolac Chief of Police have both acknowledged past difficulties and welcomed IPTF efforts to professionalize the force.

28. On 21 January 1999, UNMIBH issued a public report which summarized the results of its investigations into the illegal detention and torture of detainees held in connection with the 7 August 1998 murder of the Deputy Chief of the Pale Public Security Centre (see S/1998/1174, para. 24). The report noted that the Chief of Staff and Head of the Crime Department, as well as three former police officers, had been removed on 18 December 1998. It called upon the authorities in the Republika Srpska to remove all officers disqualified by the IPTF Commissioner; to ensure that such persons are prevented from participating in any aspect of police work in the future; to proceed with disciplinary and criminal proceedings against persons involved in any misconduct; and to exclude any statements obtained under duress from being used in criminal proceedings. The District Prosecutor had issued indictments on 11 December against six men based nearly exclusively on statements which had been made under duress, in violation of international law and legislation in the Republika Srpska.

29. A Croat police officer was injured in a car-bombing in Travnik in canton 6 (Travnik) on 9 February 1999. This was the third incident against Croat police since June 1998 and the ninth attack against Croats in canton 6 in the past two years. The work carried out by the Human Rights Office's Investigative Support Team since June 1998 has resulted in significant progress in some of the cases under investigation there, including the analysis of the types of problem impeding criminal investigations. The team's investigations have uncovered possible links with organized crime and extremist political groups, and have pointed to the lack of professional experience of some of the local police officers. The investigations have led to the removal of a judge from the Vitez Municipal Court and to the conviction of two persons closely tied to a criminal gang in the Travnik area, both unprecedented events in that area. IPTF continues its effort, through monitoring and advice, to ensure proper investigation of the crimes in canton 6 (Travnik).

30. The Human Rights Office found that investigations by police in the municipality of Maglaj in canton 4 (Zenica) into the 3 November abduction and torture of two Serb displaced persons were inadequate. The two displaced

persons claimed to have been held at gunpoint for nine hours and released only on condition that they instruct other Serb displaced persons not to return. The Office has issued six non-compliance reports to date because the police in Maglaj have not yet initiated a proper investigation into the incident.

31. The Human Rights Office and the judicial system assessment programme have undertaken a study of the unlawful practice of referring criminal cases from the Croat-controlled municipality of Ravne Brcko to the investigating judge in the Croat-majority canton 2 (Orasje), although the municipality actually falls within the Bosniac-majority canton 3 (Tuzla). In a more recent development, investigating judges from both cantons arrived at the scene of a crime and made ad hoc decisions on jurisdiction. UNMIBH will again review this unlawful practice in the light of the final award for the Brcko area (see paras. 22 and 23 above).

Civil Affairs

32. In addition to carrying out its political reporting functions, the Civil Affairs Unit of UNMIBH has intensified its efforts in support of the Mission's core tasks of police and judicial reform by participating in the minority recruitment working groups and cooperating closely with the IPTF advisers to the cantonal ministries and the public security centres. Further, under the direction of my Special Representative, Civil Affairs continues to represent UNMIBH at a number of inter-agency working groups headed by the Office of the High Representative and interregional working groups established to address common problems in cantons 6 (Travnik), 7 (Mostar), 8 (Ljubuski) and 10 (Livno). Civil Affairs officers have worked closely with IPTF and the judicial system assessment programme in developing the new weekly report.

33. Civil Affairs continues to cooperate with the IPTF leadership by providing advice on ongoing political developments in the country. Two Civil Affairs officers have been assigned to working wholly on the implementation of the Republika Srpska restructuring agreement. The Civil Affairs Project Unit has continued to work with IPTF on a range of issues, such as the development of a multi-ethnic border service, minority police recruitment and community policing. It has cooperated with the United States Institute of Peace in a seminar for IPTF and Civil Affairs on conflict analysis and management skills training. A seminar on community policing for IPTF trainers and co-locators and Civil Affairs officers was also held. The Civil Affairs Training Unit has expanded its orientation programme to include all civilian staff and IPTF officials joining UNMIBH.

Judicial system assessment

34. As described in my last report (S/1998/1174, paras. 27 and 28), officers of the judicial system assessment programme have been deployed to all seven UNMIBH regions and have engaged in intensive interviewing of judges, prosecutors and other officials in the judicial systems of Bosnia and Herzegovina. They have continued to examine mainly institutional, technical and political aspects of the judiciary and have been paying special attention to the application of new criminal legislation recently adopted in the Federation. The programme has worked closely with the UNMIBH Human Rights Office and IPTF in developing a

strategy on trial monitoring, improving the enforcement of court judgements, and developing non-compliance procedures for judicial officials. The programme has developed a database of information on the Bosnia and Herzegovina judiciary, which includes a list of the courts, the equipment in the courts, a backlog of cases in the courts, the salaries of judges, and a list of judges by ethnic group.

35. The programme's interim assessment has identified some of the obstacles in the judicial system which impede the establishment of the rule of law. It reported that the administration of justice is hindered by undue delays in court proceedings and the inability or unwillingness of local authorities to enforce court orders. These delays appear to result from disarray in the court files in property and labour cases, as well as from failure to enforce time limits in civil proceedings imposed by the law. In addition, court decisions often await execution for long periods of time both because the courts lack the judicial officers necessary to execute court orders and because local police have been unwilling to participate in the execution of court orders, especially in cases of eviction.

36. The programme continues to cooperate with the overall efforts of the Office of the High Representative to reform the judicial system and has participated in the development of proposals for new judicial service commissions and for judicial training centres for both entities. The programme has made three proposals to the Office of the High Representative: one for strengthening the budgeting system, one for the enhancement of administrative law and procedure and one for a pilot study on the land registry in the Mostar area in canton 7. It has provided the Office of the High Representative with information on the courts as background to broader proposals for judicial reform.

Cooperation with other international organizations

37. UNMIBH continues to work closely with other international organizations both in developing responses to specific incidents and in longer-term projects. More specifically, it continues to cooperate with SFOR in weapons inspections; with the Office of the High Representative and the Office of the United Nations High Commissioner for Refugees in support of the return of displaced persons and refugees; with the Office of the High Representative, SFOR and the European Customs and Fiscal Assistance Organization in preparation for the establishment of a single border service; with the Office of the High Representative in developing plans for judicial reform; and with the Organization for Security and Cooperation in Europe (OSCE) in implementing the results of the elections of 12 and 13 September 1998.

III. ACTIVITIES OF THE UNITED NATIONS SYSTEM

38. As described in my last report (S/1998/1174, para. 29), my Special Representative continues to coordinate and initiate programmes of the various United Nations agencies operating in Bosnia and Herzegovina in order to focus their work on common concerns. In bi-weekly coordinating meetings, UNMIBH briefs the [illegible]

designated official for security, my Special Representative has been especially active in coordinating the response of United Nations agencies to the security threat in Foca and to the possibility that security threats might result from the arbitration decision on Brcko or the carrying out of air strikes in the Federal Republic of Yugoslavia.

Food and Agriculture Organization of the United Nations

39. As a result of an extraordinary decision by the Director-General of the Food and Agriculture Organization of the United Nations (FAO) following his visit to Bosnia and Herzegovina in December 1998, and contrary to the previous plan to phase out by 31 December 1998, the FAO coordination office for emergency agricultural interventions will continue its activities in Bosnia and Herzegovina until further notice. The FAO agricultural programme for the spring season, comprising distribution of seed of major crops and relevant inputs, has started. Minority returnees will be the main beneficiary target. The provision of technical support and liaison to the Ministries of Agriculture continues, as do assessing needs and data collection.

International Tribunal for the Former Yugoslavia

40. The International Tribunal for the Former Yugoslavia continues to carry out its mandate to prosecute persons responsible for serious violations of international humanitarian law committed on the territory of the former Yugoslavia since 1991 (see S/1998/1174, para. 32). In particular, preparations have begun for the commencement of the 1999 exhumations programme.

International Labour Organization

41. The International Labour Organization has continued its training and technical assistance programmes as described in my previous report (see S/1998/1174, para. 33).

Office of the United Nations High Commissioner for Human Rights

42. According to the terms of reference signed on 10 December 1998, the Office of the United Nations High Commissioner for Human Rights is working in close cooperation with, and under the operational authority of, my Special Representative in Bosnia and Herzegovina. The Office also continues to support the mandate of the Special Rapporteur of the Commission on Human Rights. In the reporting period, the Office continued to focus its activities on economic and social rights, discrimination and gender issues. It has started new programmes which concern violence against women, trafficking of women and domestic violence, and programmes which concern the protection of minorities and women against discrimination in employment. Nearly 900 IPTF officers benefited from the Office's human rights training programme which ended in December 1998. As a result, human rights training has now become an ongoing activity within IPTF which is supported by the UNMIBH Human Rights Office.

Office of the United Nations High Commissioner for Refugees

43. In 1999, the Office of the United Nations High Commissioner for Refugees (UNHCR) will continue to cooperate with the Office of the High Representative and the 1999 Return and Reconstruction Task Force Action Plan to ensure that conditions conducive to the free choice of return are established and, whenever and wherever possible, to assist minorities to return to their homes of origin. Together with UNMIBH, OSCE and other international and national institutions, it will work with local authorities to remove political, legal and administrative obstacles to return, particularly regarding property, amnesty, registration, documents, security and freedom of movement. UNHCR will also continue its programmes for training and capacity-building, support for civil society, the establishment of legal aid and information centres, the introduction of legislative reform and rehabilitation assistance. Activities such as mine clearance, shelter rehabilitation, outreach services to the elderly and vulnerable, assistance in collective centres, microcredit and the provision of return packages will be gradually phased out, to the extent that hand-over to other responsible agencies and/or appropriate authorities is possible, by the end of 1999.

44. A total of 110,000 refugees returned to Bosnia and Herzegovina from abroad in 1998, bringing the total number of refugees having returned since the end of the war to more than 300,000. Some 41,000 people from minorities are estimated to have returned to their homes during 1998: 32,600 (9,200 Bosniacs, 13,100 Croats and 10,300 Serbs) in the Federation, and some 8,500 (8,000 Bosniacs and 550 Croats) in the Republika Srpska. More than 1.2 million Bosnians (860,000 displaced persons and more than 350,000 refugees) remain in need of durable solutions, within Bosnia and Herzegovina, the countries of the former Yugoslavia and Western Europe.

45. The return process is expected to become more systematic in 1999 with the use of the voluntary Return Application Database System (RADS), which UNHCR established in 75 municipalities throughout the country in 1998. The system registers the intentions of displaced persons and refugees to return to their homes of origin. This Bosnia-wide database has been developed in conjunction with the two entity ministries for refugees and displaced persons to support their respective Instructions on the Method for Organized Return. In 1999, UNHCR will consolidate and extend the system to a further 32 municipalities, and also support the Ministry of Civil Affairs and Communications at the level of common institutions for centralized processing of the return applications.

46. Refugees continue to arrive in Bosnia, principally from Kosovo. By the end of 1998, the number was estimated to have reached 10,000 persons, most of them arriving in the Sarajevo area. Spring 1999 may see an increase in arrivals, in view of the continuing unstable situation in Kosovo. Two new refugee reception centres have been completed by the Government with UNHCR funding, in Bosanski Petrovac in canton 10 (Livno) and Rakovica/Ilidza near Sarajevo, increasing the total reception capacity for refugees in organized accommodation to 1,750 persons in four centres. The construction of an additional centre for 1,000 refugees is planned in canton 3 (Tuzla).

United Nations Children's Fund

47. The United Nations Children's Fund (UNICEF) has opened nine schools for pregnant women in the Federation. A round-table meeting of officials from all 10 cantons in the Federation reviewed proposed legislation on marketing of breast milk substitutes. A nationwide survey on iodine deficiency disorders among schoolchildren is under way. A seminar on trauma counselling was conducted by the University of Utrecht for two Republika Srpska paediatric teams and four Federation teams as part of the programme Children in Need of Special Protection Measures. School psychologists from 20 Federation schools and 20 Republika Srpska schools attended a seminar on trauma alleviation in secondary schools. In addition, a psychological survey of pupils was conducted and group treatment began in January. Training of teachers in interactive learning continues in the Federation. An agreement was signed with the non-governmental organization Handicap International to support teacher training on mine awareness in Una Sana canton, one of the most mined areas in the country. An inter-ministerial working group to prepare the initial report on child rights has been appointed in the Republika Srpska. That report will be integrated into the national report on the status of children's rights.

United Nations Development Programme

48. In Bosnia and Herzegovina, the United Nations Development Programme (UNDP) continues to operate under a Country Cooperation Framework approved in January 1997 for the period 1997-2000, which is aimed at initiating the transition of donor assistance from reconstruction to development. To achieve that objective, the UNDP programme supports a three-pronged strategy of capacity-building at the community level to maximize utilization of reconstruction and development resources, support sectoral programmes that are relevant to community capacity-building, and provide policy advice to improve government decision-making. UNDP also mobilizes and administers resources for mine clearance, for area-based reconstruction and development, and for short-term employment generation. These programmes are currently under full implementation. UNDP programme resources for 1997-2000 total $80.7 million, primarily in the form of cost-sharing and trust funds from, among other donors, Japan, Germany, the Netherlands, Sweden and the European Union. Programme expenditures for 1998 amounted to $29.3 million.

United Nations Educational, Scientific and Cultural Organization

49. In preparation for an international symposium that will act as a platform for a coherent curriculum development programme, the United Nations Educational, Scientific and Cultural Organization (UNESCO) carried out a major primary and secondary school curriculum review in the Federation and in Republika Srpska in January-February 1999, concentrating on the humanities. The first meeting of the Associated School Project in Republika Srpska was held in December 1998. Teachers from Sarajevo took part in a study tour in Portugal in December 1998 in the framework of the special needs education programme (integration of children with special needs in the regular school system). The second session of the International Committee of Experts for the Rebuilding of the Old Bridge and the

World Food Programme

50. The World Food Programme (WFP) in Bosnia and Herzegovina is concentrating its activities on the phasing-out of its operations by mid-1999 in view of the improvement achieved in the country since the end of the war. The first stage of phasing-out started in mid-1998 with the refinement of, and substantial reduction in, beneficiary caseloads. Currently, the individual WFP monthly ration for beneficiaries in Bosnia and Herzegovina is 12 kg of wheat flour, 1.20 kg of pulses and 0.75 kg of vegetable oil. WFP is working continuously with others involved in general food distribution, who are also concluding their programmes this year, as well as with local authorities, to ensure the smooth phasing-out of remaining responsibilities. The WFP operation in Bosnia and Herzegovina is fully funded, and thus the food pipeline provided by recent donations will cover needs up to and including the last distribution cycle in May/June 1999.

World Bank

51. The World Bank is continuing its efforts, as described in my previous report (see S/1998/1174, paras. 49 and 50).

52. The breadth of the World Bank's commitment to Bosnia and Herzegovina continues to be reflected in the number of projects currently under preparation by the Bank. This wide range of projects includes economic policy reform - with a privatization structural adjustment credit for enterprises and banks and a second public finance structural adjustment credit; a basic health services project to establish a cost-effective, community-based primary health-care system and improve health sector management; a project to provide working capital to Bosnian export-oriented businesses; a project to help municipalities obtain credit for priority social and economic infrastructure projects with a local development fund (this is being prepared after the funding of housing reconstruction in UNHCR target zones, microcredit, and local infrastructure); and a cultural heritage project for the reconstruction of the old bridge and old town of Mostar in coordination with UNESCO.

World Health Organization

53. The World Health Organization continues its support to the entities' Ministries of Health. The support is focusing on technical advice and coordination of international health. The humanitarian assistance will be scaled down over the rest of 1999.

IV. OBSERVATIONS

54. The establishment of the rule of law is a prerequisite for a lasting peace in Bosnia and Herzegovina. The rule of law provides an essential safeguard for individual rights regardless of ethnicity, it gives investors confidence in the country's future, and it facilitates increasingly close association between European institutions and those of Bosnia and Herzegovina. UNMIBH continues to play a central role in efforts to that end under its mandate in police

monitoring, restructuring and reform, assessment of the judicial system and strengthening of the legal system's respect for human rights.

55. UNMIBH has pursued a strategy of engaging senior officials in the Republika Srpska and the Federation, through co-location of IPTF advisers and launching a series of inter-entity meetings between officials from the Ministries of the Interior. This strategy of engagement has enjoyed some success in both entities. The agreement on police restructuring and reform in the Republika Srpska and the achievement of the early benchmarks set in the agreement has been matched by some progress in minority recruitment in the Federation during the reporting period. The successful series of cross-inter-entity boundary line meetings of senior and regional police officials points to genuine efforts by the police to cooperate in tackling cross-entity crime.

56. Despite all efforts, it is not clear whether these positive steps will mark the beginning of self-sustaining progress in police restructuring and reform and the establishment of the rule of law. Monitoring, therefore, remains central to the work of IPTF because it enables the Mission to identify areas where IPTF must focus its programmes of training, advising and equipping which are part of annex 11 of the General Framework Agreement for Peace. Monitoring also helps to identify cases where IPTF should conduct investigations into police response to violations of human rights, and provides the basis for issuing non-compliance reports and for de-certifications. Successful minority recruitment and returns will make monitoring and patrols even more significant in the future because IPTF will increase the monitoring of mixed patrols and of policing in communities where minorities have begun to return.

57. The Brcko arbitration award will present another major challenge for UNMIBH because it will have to establish a single multi-ethnic police force in an area where three police forces operate at present. The arbitrator noted that the constant and diligent supervision of IPTF in the Republika Srpska-controlled part of Brcko had resulted in the establishment of the only multi-ethnic police force in the Republika Srpska today and that this force can be taken as a model for other communities in the Republika Srpska and the Federation. UNMIBH is determined to continue on this course in Brcko and elsewhere in the country. However, it is clear that the latest political crisis in the Republika Srpska could make progress difficult to achieve.

58. The establishment of a multi-ethnic border service will present significant challenges in the coming period. Undue delays in the administration of justice and the execution of court decisions, the continuing strength of inter-entity organized crime, as well as violence associated with minority returns in the Federation and in the Republika Srpska all highlight the continuing fragility of the Mission's progress in implementing its mandate in police restructuring and reform.

59. Further progress in the Mission's central task of police reform will require tangible material support for the modernization of the country's police infrastructure from a donor community whose support for police restructuring and reform has until now been relatively modest. Without refurbished police academies, modern police equipment and a well-equipped judiciary, the effort to

significant as support for essential physical infrastructure is the investment in human resources. As the Mission continues to evolve from a monitoring mission to one which includes advising, training and special investigations, its specific personnel requirements are changing. As I have noted before, it will be essential for contributing countries to send monitors with the special skills identified by the IPTF Commissioner, including personnel with special investigative skills, mid- and high-level management experience, and training in, and familiarity with, community policing practices. It will also be essential to have a well-prepared programme of pre-mission training for all monitors in their home countries.

60. The establishment of self-sustaining political institutions in Bosnia and Herzegovina continues to present a significant challenge. The elections held in mid-September 1998 have not yet led to the formation of a government in the Republika Srpska and the tension resulting from the political crisis in this entity has recently been heightened with the dismissal of the President and resignation of the Prime Minister. The prospects remain bleak for the return of refugees and displaced persons to their homes on any meaningful scale. It also appears that the most significant progress comes most frequently from initiatives by the High Representative rather than from officials in the country itself. The continuing close cooperation of UNMIBH with UNHCR, SFOR, the Office of the High Representative and OSCE will be necessary to address these impediments to a sustainable peace. I would emphasize, as I have before, that the strong and consistent support of SFOR will remain essential in providing adequate security arrangements for the successful implementation of the UNMIBH mandate. I also appeal to the Governments of the members of the Security Council to extend their full diplomatic support to the efforts of UNMIBH to implement its core mandate of creating professional, multi-ethnic police services in the Federation and the Republika Srpska.

61. At the end of the tour of duty of Richard Monk as Commissioner of IPTF, I should like to record my appreciation for his leadership and for the constructive contribution that he provided to the Mission over the last year.

Annex

Composition of the International Police Task Force as at 8 March 1999

Argentina	34
Austria	36
Bangladesh	33
Bulgaria	46
Canada	24
Chile	29
Denmark	39
Egypt	34
Estonia	5
Fiji	20
Finland	28
France	127
Germany	164
Ghana	99
Greece	15
Hungary	37
Iceland	3
India	102
Indonesia	22
Ireland	35
Italy	21
Jordan	148
Kenya	11
Lithuania	2
Malaysia	50
Nepal	41
Netherlands	52
Nigeria	18
Norway	24
Pakistan	94
Poland	50
Portugal	5
Romania	20
Russian Federation	33
Senegal	18
Spain	32
Sweden	54
Switzerland	2
Thailand	5
Tunisia	2
Turkey	27
Ukraine	36
United Kingdom of Great Britain and Northern Ireland	70
United States of America	195
Total	1 995

The number of civilian police monitors varies owing to ongoing contingent

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